



Attachment B

Zoning/Planning Department  
Alice Henkel, Zoning/Planning Administrator  
Laura Mangrum, Deputy Zoning Administrator

815-288-3643 leecountvil.com

## NOTICE OF ZONING VIOLATION

**Notice Date:** May 10, 2024

**Parcel Identification No. (PIN):** 00-00-00-000-000

**Common Address:** 1234 Abe Lincoln Way, Anytown, IL 00000

**Current Zoning District:** Ag-1 Rural/Agricultural District

**Owner(s) of Record:** Lee County Property Owner

**Current Tenant(s):** (if applicable)

**Violation(s):** **1. Operation of an Automobile Graveyard in the Ag-1, Rural/Agricultural District.**

Pursuant to Title 10, Chapter 9, Section 1 (Principal, Special, Temporary, Restricted Uses) of the Lee County Code:

*An Automobile Graveyard is only allowed as a Restricted, Special Use in the I-3, Heavy Industrial District.*

Pursuant to Title 10, Chapter 1, Section 4 (Rules and Definitions) of the Lee County Code:

*AUTOMOBILE GRAVEYARD: Any lot or building which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or trailers, not in running condition, or parts thereof, and not being restored to operation, excluding storage of scrap for subsequent manufacturing process on the same lot, providing such use is permitted in the zoning district in which the facility is located as a principal or special use.*

*Pursuant to the Lee County Code, the term "Vehicle" means every vehicle which is self-propelled or propelled by electric power, not operated on rails, which is defined*



as a "motor vehicle" under the Illinois vehicle code (625 ILCS 5/1-100 et seq.). The term shall include anything that possesses a Vehicle Identification Number (VIN) and shall include but not be limited to cars, trucks, motorcycles, boats, recreational vehicles, campers, trailers, all-terrain vehicles (ATV), utility task vehicles (UTV), and snowmobiles.

## **2. Operation of a Junkyard in the Ag-1, Rural/Agricultural District.**

Pursuant to Title 10, Chapter 9, Section 1 (Principal, Special, Temporary, Restricted Uses) of the Lee County Code:

*A Junkyard is only allowed as a Restricted, Special Use in the I-3, Heavy Industrial District.*

Pursuant to Title 10, Chapter 1, Section 4 (Rules and Definitions) of the Lee County Code:

*JUNKYARD: A lot and any buildings thereon which are maintained, operated, or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills, unless authorized pursuant to the county solid waste management plan as amended from time to time. A junkyard does not include a scrap processing facility located within a district permitting its operation as a principal or special use.*

*JUNK: Any old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked motor vehicles, trailers or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk also includes, but is not limited to, motor vehicles, tires, vehicle parts, equipment, glass, bottles, plastics, building materials, household appliances, brush, and wood or lumber when not covered or stacked and stored off of the ground.*



### **3. Operation of Tire Disposal and Recycling in the Ag-1, Rural/Agricultural District.**

Pursuant to Title 10, Chapter 9, Section 1 (Principal, Special, Temporary, Restricted Uses) of the Lee County Code:

*Tire Disposal and Recycling is only allowed as a Restricted, Special Use in the I-3, Heavy Industrial District.*

### **4. Conducting Inventory or Materials Storage (Outdoors) in the Ag-1, Rural/Agricultural District without a Special Use Permit.**

Pursuant to Title 10, Chapter 9, Section 2 (Accessory Uses) of the Lee County Code:

*Inventory or Material Storage (Outdoors) is only allowed in the Ag-1, Rural/Agricultural District with a Special Use Permit.*

### VIOLATION SUMMARY

The Lee County Zoning Office has received numerous complaints regarding the use of 1234 Abe Lincoln Way, Anytown, Illinois, PIN 00-00-00-000-000, since April 2020. This office has been provided photographic evidence of the accumulation of junk, automobiles, scrap and tires being stored outdoors on the property. This office also has photographic evidence of junk, automobiles, scrap and tires being hauled onto the property by the truckload.

### CORRECTIVE ACTION REQUIREMENT(S)

1. Contact the Lee County Zoning Administrator within 14 days of the date of this letter to establish a Corrective Action Plan.
2. The operation of an Automobile Graveyard shall cease immediately. No additional Vehicles shall be brought onto the property.
3. The operation of a Junkyard shall cease immediately. No additional Junk shall be brought onto the property.



4. The operation of Tire Disposal and Recycling shall cease immediately. No additional tires shall be brought onto the property.
5. The operation of Inventory or Materials Storage (Outdoors) shall cease immediately. No additional inventory or materials shall be stored outdoors on the property.
6. If you fail to establish a Corrective Action Plan pursuant to Corrective Action Requirement No. 1, the following shall apply:
  - a. All inoperable and/or abandoned vehicles currently on the property shall be removed from the property within 45 days of the date of this Notice.
  - b. All Junk, as defined by the Lee County Revised Zoning Ordinance, shall be removed from the property within 90 days of the date of this Notice.
  - c. All tires shall be removed from the property within 30 days of the date of this Notice.
  - d. All materials currently being stored outdoors on the property will either need to be removed or placed in a legally permitted structure that is in compliance with the Lee County Revised Zoning Ordinance within 90 days of the date of this Notice.

#### PENALTY

Pursuant to Title 10, Chapter 2A, Section 5 of the Lee County Code:

- A. The county, or any person or entity particularly aggrieved, may enforce the rules and regulations set forth in this title, or imposed as a condition to the grant of any variation, special use permit, or any other permit provided for in this title in any court of law or administrative tribunal having jurisdiction over the matter or the violation.
- B. The zoning enforcement officer may levy a fine of not more than five hundred dollars (\$500.00) a day against any person, firm or corporation, their agents, employees, or contractors who violate, disobey, omit, neglect, or refuse to comply with, or who resist enforcement of this title, and each day a violation continues shall constitute a separate offense. The zoning enforcement officer may also elect to refer any such violations to the state's attorney for prosecution as a misdemeanor punishable by imprisonment for not more than six (6) months, the imposition of fines, or both. (Ord. 06-05-002, 6-21-2005)



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Failure to comply with the Corrective Action Requirements stated above will result in a fine of **\$100.00 per day** until all violations have been remediated. Any fines collected will be used to offset the cost of any County-driven efforts to remediate the zoning violations.

APPEAL

If you would like to appeal this Determination, you may file a Petition for Appeal with the Lee County Zoning Office, to be heard and decided by the Lee County Zoning Board of Appeals. The Petition for Appeal must be placed on file within 30 days of the date of this Notice and shall be heard within 45 days of its filing.

Signed,

Alice Henkel  
Zoning Administrator

c: Charley Boonstra, Lee County State's Attorney (via email)